

**IN THE DISTRICT COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. CROIX**

JUAN MENDEZ, RENE VARGAS,
FRANK ORTIZ, REYNALDO
RODRIQUEZ, and JAMIE GARCIA,

Plaintiffs

v.

HOVENSA, L.L.C.,

Defendants.

CIVIL NO. 02-0169

ORDER

THIS MATTER comes before the Court on the Motion for Summary Judgment filed by Defendant Hovensa, LLC. Plaintiffs oppose such motion.

For the reasons stated in the accompanying Memorandum Opinion, it is hereby

ORDERED that Plaintiffs' claim for negligent spoliation of evidence is **DISMISSED** for failure to state a claim;

that Hovensa's Motion for Summary Judgment is **GRANTED** as to Plaintiffs' claim for intentional spoliation of evidence or fraudulent concealment;

that Hovensa's Motion for Summary Judgment is **DENIED** as to Plaintiffs' claims for negligence, liability for product defect, wrongful discharge in violation of the Wrongful Discharge Act, intentional interference with contract, negligent and intentional infliction of emotional distress, and punitive damages.

ENTER:

DATE: March 24, 2008

_____/s/_____
RAYMOND L. FINCH
DISTRICT JUDGE